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Regulatory & Pricing Manager

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January 4, 2017

Ms. Carlotta Stauffer, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 160186-EI

Dear Ms. Stauffer:

Attached herein are Gulf Power Company's Objections to Federal Executive Agencies' Second Request for Production of Documents (Nos. 6-27) submitted by electronic mail in the above-referenced docket.

Sincerely,

A handwritten signature in blue ink that reads "Robert L. McGee, Jr.".

Robert L. McGee, Jr.
Regulatory and Pricing Manager

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Attachments

cc: Beggs & Lane
Jeffrey A. Stone, Esq.
Gunster Law Firm
Charles A. Guyton, Esq.
Richard A. Melson, Esq.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for rate increase by Gulf
Power Company.

Docket No. 160186-EI
Dated: January 4, 2017

**GULF POWER COMPANY'S OBJECTIONS TO FEDERAL EXECUTIVE AGENCIES'
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS (NOS. 6-27)**

Pursuant to Fla. Admin. Code R. 28-106.206, Rule 1.350 of the Florida Rules of Civil Procedure, and the Order Establishing Procedure in this matter, Gulf Power Company ("Gulf Power," "Gulf," or the "Company") hereby serves its objections to Federal Executive Agencies' ("FEA") Second Request for Production of Documents (Nos. 6-27) (collectively "the Requests") and states as follows:

GENERAL OBJECTIONS

With respect to any "Definitions" and "Instructions" in FEA's Requests for Production, Gulf objects to any definitions or instructions that are inconsistent with Gulf's discovery obligations under applicable rules. If some question arises as to Gulf's discovery obligations, Gulf will comply with applicable rules and not with any of FEA's definitions that are inconsistent with those rules. Gulf also objects to any request that calls for documents to be produced from the files of Gulf's counsel in this matter because such documents are privileged and are otherwise not within the scope of discovery under the applicable rules and law. Furthermore, Gulf objects to any definition or request that seeks to encompass persons or entities other than Gulf who are not parties to this action and thus are not subject to discovery. Records of affiliated companies, including The Southern Company, that are directly relevant to Gulf's rate request, including records regarding transactions or cost allocations among Gulf and its affiliated companies may be provided, upon request. Otherwise, no responses to the requests will be made on behalf of persons or entities other than Gulf. Gulf also objects to OPC's request that

Gulf provide documents in a specific electronic format. Gulf will produce electronic data in its native format. Non-electronic documents will be scanned and produced in PDF format. Furthermore, Gulf objects to any request that calls for Gulf to create documents that it otherwise does not have because there is no such requirement under the applicable rules and law.

Additionally, Gulf generally objects to FEA's Requests to the extent that they call for documents protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, or any other applicable privilege or protection afforded by law. Gulf will provide a privilege log in accordance with the applicable law or as may be agreed to by the parties to the extent, if at all, that any document request calls for the production of privileged or protected documents.

Further, in certain circumstances, Gulf may determine upon investigation and analysis that documents responsive to certain requests to which objections are not otherwise asserted are confidential and proprietary and should be produced only under an appropriate confidentiality agreement and protective order, if at all. By agreeing to provide such information in response to such a request, Gulf is not waiving its right to insist upon appropriate protection of confidentiality by means of a confidentiality agreement, protective order, or the procedures otherwise provided by law or in the Order Establishing Procedure. Gulf hereby asserts its right to require such protection of any and all information that may qualify for protection under the Florida Rules of Civil Procedure, the Order Establishing Procedure, and all other applicable statutes, rules and legal principles.

Gulf generally objects to FEA's Requests for Production to the extent that they call for the production of "all" documents of any nature, including every copy of every document responsive to the requests. Gulf will make a good faith, reasonably diligent attempt to identify

and obtain responsive documents when no objection has been asserted to the production of such documents, but it is not practicable or even possible to identify, obtain, and produce “all” documents. In addition, Gulf reserves the right to supplement any of its responses to FEA’s Request for Production if Gulf cannot produce documents immediately due to their magnitude and the work required to aggregate them, or if Gulf later discovers additional responsive documents in the course of this proceeding.

Gulf generally objects to each Request to the extent that it calls for information that is not relevant to this case. Where practical, Gulf has made efforts to redact irrelevant information with a notation regarding the nature of the redaction.

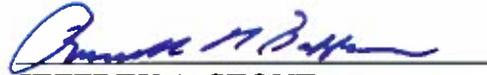
SPECIFIC OBJECTIONS

Request No. 7: Gulf objects to FEA’s Request Number 7 to the extent the request calls for Gulf to obtain documents from other parties (specifically, “all of its affiliates”) that are not within Gulf Power’s possession, custody or control. Additionally, to the extent the request seeks information regarding entities other than Gulf, Gulf objects because the data requested is not relevant to this case, has no bearing on this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 8: Gulf objects to FEA’s Request Number 8 because it is overbroad and seeks information that is not relevant to this case, has no bearing on this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Furthermore, Gulf objects to this request because Gulf’s contractual agreements with these credit rating agencies prohibit Gulf from distributing, reproducing, or retransmitting certain information provided by the agencies.

Request No. 27: Gulf objects to FEA's Request Number 27 to the extent that it directs Gulf to "identify" information. This directive is in the nature of an interrogatory and exceeds Gulf's obligation under Rule 1.350 to produce responsive documents.

Respectfully submitted this 4th day of January, 2017,



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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition for Increase in Rates)
By Gulf Power Company)
)

Docket No.: 160186-EI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by electronic mail this 4th day of January, 2017 to the following:

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